

BEFORE THE
Federal Communications Commission

WASHINGTON, D. C. 20554

In the Matter of)
)
Replacement of Part 90 by)
Part 88 to Revise the Private)
Land Mobile Radio Services)
and Modify the Policies)
Governing Them)
)
and)
)
Examination of Exclusivity)
and Frequency Assignment)
Policies of the Private)
Land Mobile Radio Services)

PR Docket No. 92-235

DOCKET FILE COPY ORIGINAL

TO: The Commission

CONSOLIDATION PLAN

The Coalition of Industrial and Land Transportation Radio Users (the "Coalition") hereby submits its proposal for consolidation of the private land mobile radio services below 512 MHz.

The Coalition includes five trade associations representing tens of thousands of private land mobile licensees and an installed base of over one-half million transmitters. It includes the American Automobile Association; American Trucking Associations, Inc.; Forest Industries Telecommunications; International Taxicab and Livery Association; and Manufacturers Radio Frequency Advisory Committee, Inc.

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INTRODUCTION

At the outset, the Coalition wishes to reiterate the view expressed previously in this docket; namely, that consolidation is based upon flawed premises (Commission reliance on license/mobile count as showing a usage disparity is misleading); entails serious risks for users of these shared channels (consolidating disparate types of users in one or more pools significantly increases the chances for interference); and is not necessary in order to facilitate the introduction of new technologies (narrowbanding alone will create the contiguous channels desired for TDMA, for example^{1/}).

These and other reasons are developed in detail in the position paper being filed this date by the Coalition and the Association of American Railroads. See also Comments of the Coalition of Industrial and Land Transportation Land Mobile Radio Users filed May 28, 1993 at 8-13. Accordingly, the consolidation plan offered herein is without prejudice to the position stated therein.

DISCUSSION

Consistent with the Commission's preference for two to four pools,^{2/} the Coalition proposes the creation of four pools:

^{1/} Moreover, the Commission's focus on creating more contiguous channels -- an essential part of its rationale for consolidation -- can be counter-productive inasmuch as certain new technologies such as trunking work better without contiguous channels.

^{2/} Report and Order and Further Notice of Proposed Rule Making, FCC 95-255, released June 23, 1995 at para. 52.

Public Safety, Business, Industrial/Utilities, and Land
Transportation as follows:

Public Safety

Police
Fire
Emergency Medical
Local Government
Highway Maintenance
Forestry-Conservation

Business

Business
Private Carrier Paging
Special Emergency (other than Emergency Medical)
Special Industrial
Motion Picture
Relay Press

Industrial/Utilities

Power
Petroleum
Manufacturers
Forest Products
Telephone Maintenance

Land Transportation

Motor Carrier
Railroad
Taxicab
Automobile Emergency

In formulating these pools, the Coalition has been guided by one overriding principle: user compatibility -- a principle no less important for these shared use channels today than it was 46 years ago when the specialized radio services were established. See General Mobile Radio Services, 13 FCC 1190 (1949).

Compatibility is a function of the type of business operations conducted within a particular Radio Service.

Compatibility is also a function of whether two Services have been able to share frequencies successfully in the past.

For example, it is common sense to group public safety agencies in a Public Safety pool and land transportation companies in a Land Transportation pool. Not only are entities within these pools engaged in similar activities, but individual services within these categories already share numerous frequencies harmoniously.

Likewise it makes sense to group the five services referenced in an Industrial/Utilities pool. For decades these five industries successfully have shared more frequencies with each other than with any other Radio Service. See Attachment.

They have a proven record of cooperation and compatibility -- a factor which will become even more important during the transition to narrowband technology.

Conversely, some Services are not good candidates for pooling even though they may share certain frequencies today. For example, it would not make sense to pool the Business and Taxicab Radio Services. Not only have Taxicab and Business Radio operations been subject to different technical rules (e.g. taxi being limited to 75 watts (like the Motor Carrier Radio Service) with Business having been allowed 350 watts), but taxi industry

radio usage is very different from that of Business.^{3/}

In any event Business does not share any frequencies with Taxicab in urban areas. Of the few frequencies which are shared (seven VHF pairs), Business use is restricted to rural areas. In other words, a substantial majority of Taxicab frequencies are not shared with Business today. Hence even current channel sharing patterns do not support Business-Taxicab pooling.

It also makes sense to pool the Business and Special Industrial Radio Services. Both have very broad eligibility definitions as opposed to the well-defined eligibility which characterizes the industrial services. Both include a great many small business operators such as fast food restaurants (Business Radio Service) and farmers and ranchers (Special Industrial).

* * * *

The Coalition urges that any of the coordinators within the pooled Services be entitled to coordinate frequencies for the

^{3/} The great majority of eligibles in the Taxicab Radio Service are licensed for paired channels with one VHF or one UHF channel used exclusively for base-to-mobile dispatch, while a paired channel is used exclusively for mobile-to-base communication. This means that the dispatcher has no way of monitoring the base station frequency, and drivers no way of monitoring their transmit frequencies. On the other hand, Business Radio eligibles are typically licensed for one channel only. The end result is that taxi and business cannot share the same frequencies in the same area without massive interference to taxicabs and a waste of spectrum. These difficulties are a matter of historic record with the Commission. See Report and Order in PR Docket No. 88-373, 4 FCC Rcd. 5756, 5759 (1989), recon. granted in part 5 FCC Rcd. 4784 (1990). For a more complete discussion see ITLA's Reply Comments filed July 30, 1993 in this proceeding.

Radio Services within that pool. Such a result balances the Commission's desire for competition in the provision of coordination services with the benefits of having coordinators who are familiar with the needs of their own industries and users. This will enhance coordinators' ability to facilitate the transition to narrowband technology and exclusivity. It will also maximize the chances for interference-free operation on these shared channels.^{4/}

Finally, the Coalition is also of the view that, if consolidation should be adopted, the individual Services should be encouraged to work out sharing and coordination protocols. This may include, for example, implementation of a real-time database, and identification of any particular frequencies which (e.g. man-down channels in manufacturing plants, and defect detector channels used by railroads).

^{4/} Frequency coordination is arguably more important for shared channels such as these than it is for exclusive use channels: by definition new entrants must be accommodated on channels which may already be occupied in a particular area. An inadequate appreciation for the nature of the incumbent's and new entrant's operations can spell disaster for both. Such concerns are never an issue with exclusive use channels.

CONCLUSION

For the foregoing reasons the Coalition urges that, if the agency should adopt a consolidation plan, it should reflect the proposal made herein.

Respectfully submitted,

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SHARED 450-470 MHz FREQUENCIES¹

FREQUENCIES (MHz)	IX	IF	IS	LX	IB	IP	IW	IT
451.175 - 451.675	10	10				10	10	10
451.700 - 451.750		2				2		
452.100 - 452.450 ²		8		8				
456.175 - 456.675 ³	10	10				10	10	10
456.700 - 456.750 ⁴		2				2		
462.475 - 462.525	3	2				2	2	2
467.475 - 467.525 ⁵	2	2				2	2	2

¹ Does not include paging or splinter frequencies.

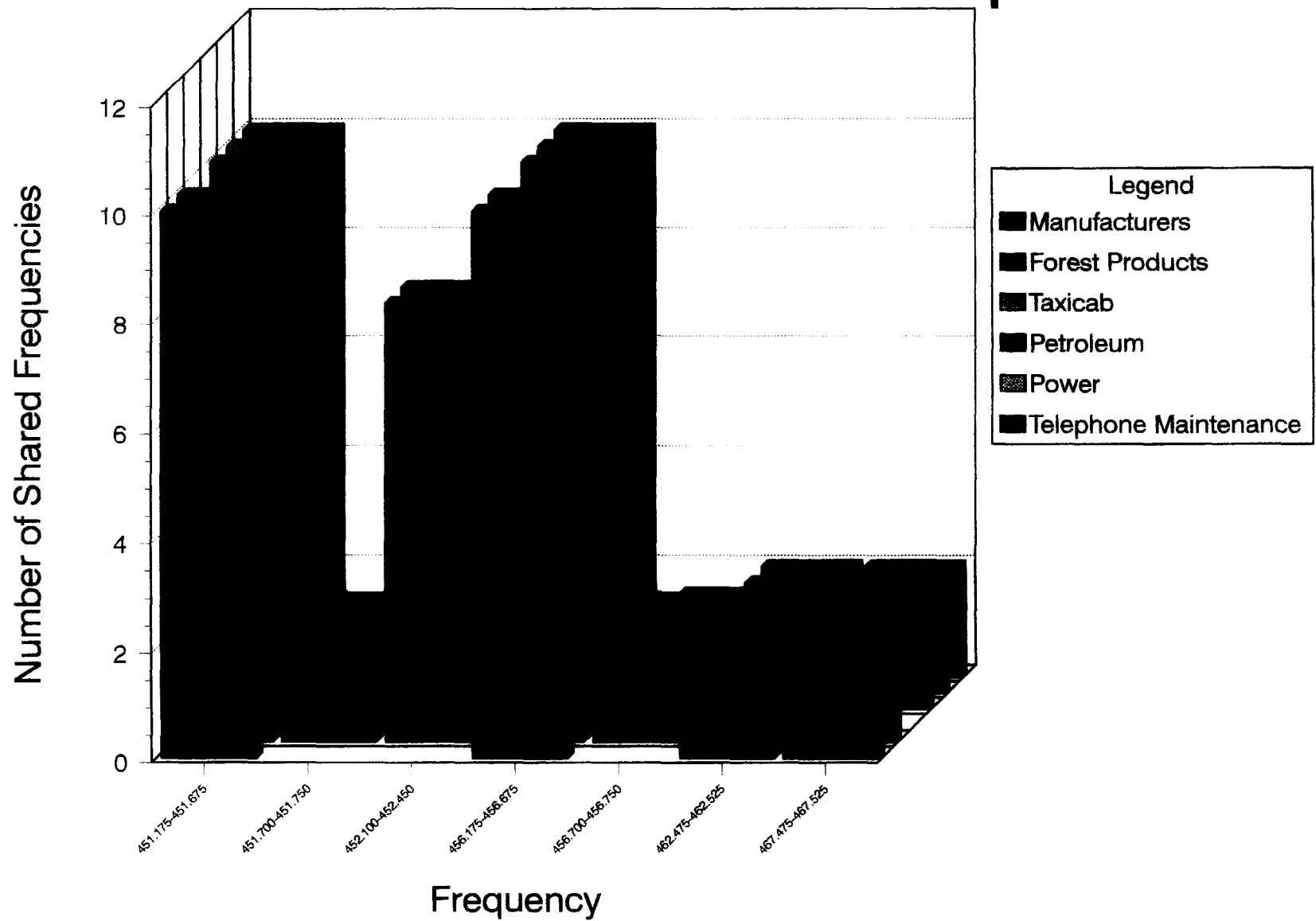
² These LX frequencies are shared by IF in four States: Washington, Oregon, Idaho and Montana.

³ Paired with 451.175 - 451.675

⁴ Paired with 451.700 - 451.750

⁵ Paired with 462.475 - 462.525

Shared 450-470 MHz Radio Frequencies



SHARED 150 MHz FREQUENCIES⁶

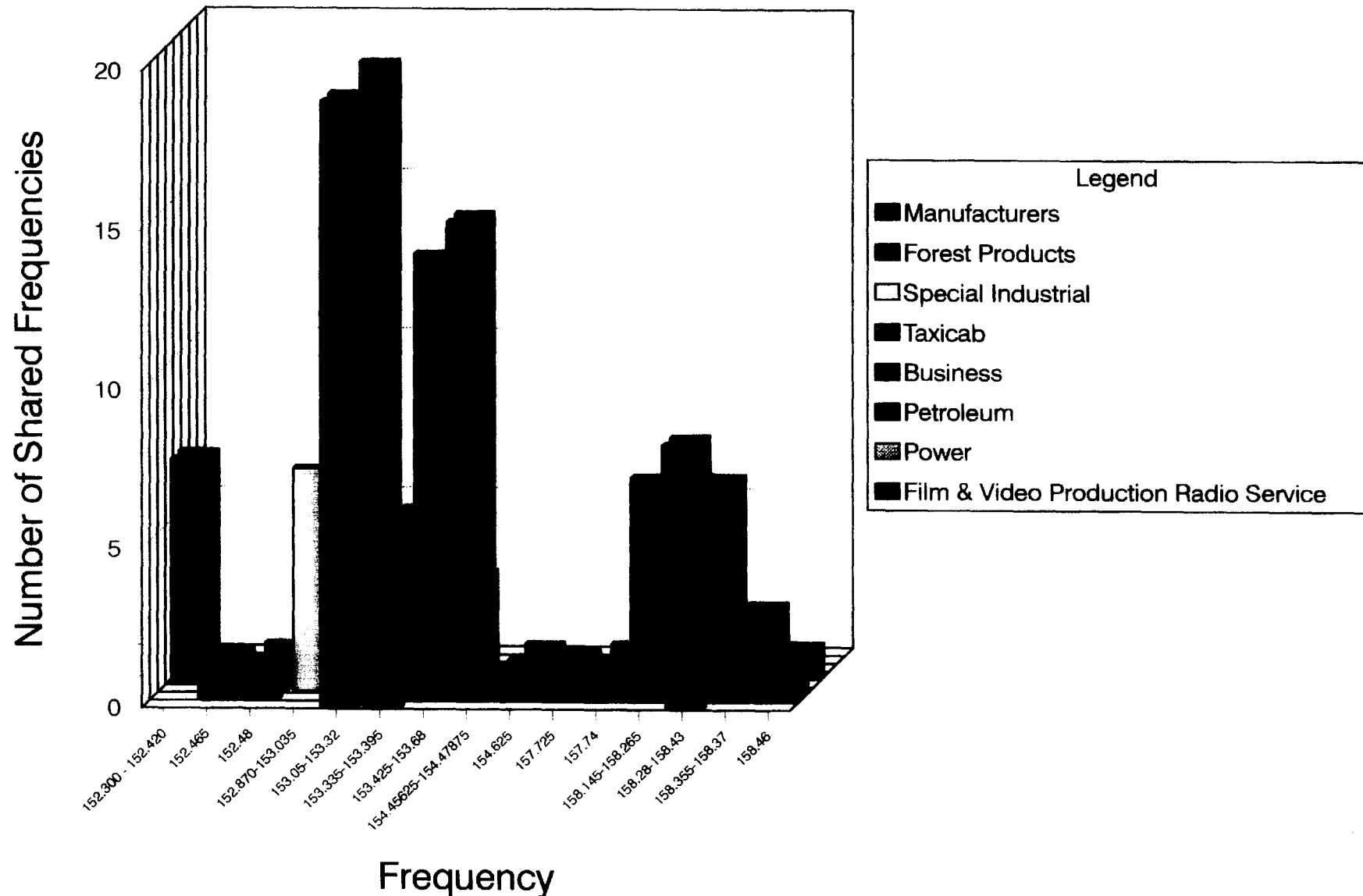
FREQUENCY (MHz)	IX	IF	IS	LX⁷	IB⁷	IP	IW	IM
152.300 - 152.420 ⁸				7	7			
152.465		1	1	1				
152.480		1	1		1			
152.870 - 153.035			7			1		6
153.050 - 153.320	19	19				19		
153.335 - 153.395	5	5	5			5		
153.425 - 153.680		14				14	14	
154.45625 - 154.47875		4						
154.625		1	1		1			
157.725		1	1	1				
157.740		1	1		1			
158.145 - 158.265		7				7	7	
158.280 - 158.430	6	6				6		
158.355 - 158.370		2				2		
158.460		1	1		1			

⁶ Does not include paging or splinter frequencies.

⁷ Frequencies shared by LX and IB are geographically separated, IB use being confined to rural areas.

⁸ Paired with 157.560 through 157.680 MHz.

Shared 150 MHz Radio Frequencies*



*Graph does not include paging or splinter frequencies